

U.S. DISTRICT COURT  
DISTRICT OF VERMONT  
FILED

UNITED STATES DISTRICT COURT  
FOR THE  
DISTRICT OF VERMONT

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United States of America :  
v. : File No. 1:92-CR-63-01  
Jacob Washington :

ORDER  
(Paper 195)

Jacob Washington has filed a motion for relief from judgment pursuant to Fed. R. Civ. P. 60(b), claiming that this Court erred at his re-sentencing. (Paper 195). In an Order dated March 23, 2005, the Court recharacterized Washington's filing as a motion brought pursuant to 28 U.S.C. § 2255. (Paper 202). Consistent with the law in this Circuit, the Court warned Washington of the procedural ramifications of its recharacterization, and allowed Washington 30 days in which to either consent to the recharacterization or withdraw his motion. The Court also allowed Washington leave to amend his motion. The Court further stated that "[f]ailure to file a timely response to this Order may result in the denial of Washington's motion without prejudice." Id. at 7. The deadline for responding to the Court's Order has now

passed, and Washington has not submitted a response.

Accordingly, his motion (Paper 195) is DENIED.

Dated at Brattleboro, in the District of Vermont,  
this 21<sup>st</sup> day of June, 2005.

/s/ J. Garvan Murtha  
J. Garvan Murtha  
United States District Judge